

REGD NO. JK—33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Srinagar, Thu., the 9th July, 2015/18th Asad., 1937. [No. 15

	CONTENTS	English Pages	Vernacular pages
PART I-A	Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	144-150	
PART I-B	Notifications, Communiques and General Orders by the Government and the Ministers	63-66	
PART II-A	Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments....	29-30	
PART II-B	Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule.....	267-282	
PART II-C	Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal		
PART III	Laws, Regulations and Rules passed thereunder		
PART IV	Reprints from the Government of India Gazette or Gazettes of others Governments....		
PART V	Information and Statistics (a) Rates and prices in the State.... (b) Rates and wages (c) Crop Report and Forecasts (d) Whether Observations (e) Vital Statistics		
SUPPLEMENT-A	Trade Monthly Imports and Exports from the State		
SUPPLEMENT-B	Police		
SUPPLEMENT-C	Advertisements	47-48	73-80

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PART I-A

Jammu & Kashmir Government—Orders.

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.

Notification

No. 1393 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Ms. Manisha Kumari D/o Mr. Romesh Chander R/o Bantalab, Jammu Village Gurha Brahmana, Mohalla Lakhnotra, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-141/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1394 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Ms. Nidhi Sharma D/o Mr. Madan Gopal Sharma R/o H. No. 84, Sect.-14, Nanak Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-93/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1395 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Sumit Kumar S/o Mr. Dalip Kumar R/o Bye Pass Road, Kunjwani, District Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-136/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1396 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Danish Yousuf S/o Mr. Mohd. Yousuf R/o Lasjan Near J&K Bank, Pantha Chowk, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-146/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1397 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Pardeep Chauhan S/o Mr. C. L. Chauhan R/o Village Jogpur Bagla, Dhamore, P/O Jakh, District Samba A/P 107/3, Bhagwati Nagar, Canal

146 The J&K Govt. Gazette, 9th July, 2015/18th Asad., 1937. [No. 15

Road, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-122/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1398 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Harbajan Singh S/o Mr. Jagjit Singh R/o H. No. 56, Upper Lakshmi Nagar, Sarwal, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-138/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1399 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Ravish Kohli S/o Mr. Raguvir Kohli R/o House No. 3, Lakhdatta Street, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-137/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1400 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Som Dutt S/o Shri Girdhari Lal R/o Village and P/O Bhangdour, Tehsil Samba, District Samba has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-159/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1401 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Sunil Bakshi S/o Mr. Shakti Kumar Bakshi R/o Sari Rakwan, Ghous Manhasan Road, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-131/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1402 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Ms. Roohi Salgotra D/o Mr. Ravi Kumar R/o Pamposh Colony, Janipur,

Jammu A/P House No. 115, Ward No.1, R. S. Pura, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-134/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1403 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Ms. Sucheta Gupta D/o Mr. Anil Gupta R/o Q. No. 395, Bakshi Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-106/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1404 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Chadan Raina S/o Shri Prem Nath Raina R/o Village Kalideh, Tehsil Sunderbani, District Rajouri has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-128/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1405 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Nikunj Sharma S/o Shri Pawan Sharma R/o Ward No. 10, House No. 31, Rajouri has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-94/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1406 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Iqbal Rubbani Bhat S/o Mr. Ghulam Rubbani Bhat R/o Ayathmulla, Tehsil Bandipora, District Bandipora has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-92/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1407 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Ms. Palvi Gupta D/o Mr. Ram Charan Gupta R/o H. No. 99, Prem Nagar, New Plot, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-149/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1408 Dated 30-03-2015.

It is hereby notified that vide High Court Order dated 23-03-2015 Mr. Anshu Mahajan S/o Mr. Arun Mahajan R/o H. No. 85, Street Mangotrian, Jain Bazar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-140/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) KANEEZ FATIMA,

Registrar General.



JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Jammu, Thu., the 9th July, 2015/18th Asad., 1937. [No. 15

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification

Subject :—Application of Shri Mohd Suleman and Others R/o Village Thandi Kassi, Tehsil and District Rajouri for payment of compensation of land under section 14-E. P. Act.

Reference :—CG(EP)1948/14/Comp/01 dated 28-02-2014.

Whereas, an application was moved by Shri Mohd Suleman and Others R/o Village Thandi Kassi, Tehsil and District Rajouri, under section 14-A of the J&K Evacuees’ (Administration of Property) Act, 2006 before the Custodian, Evacuees’ Property, Jammu, for restoration of land measuring 53 Kanals 10 Marlas, comprising Khasra Nos. 112 (16 K 01 Mls), 114 min and 141 (37 K 09 Mls), situated in Village Thandi Kassi, Tehsil and District Rajouri ;

Whereas, the case was remanded to Additional Custodian, Evacuees' Property (Deputy Commissioner), Rajouri, who vide his order dated 23-02-1982 deleted the said land from evacuees' record and restored the same to Shri Mohd Shafi and Others S/o Lal Din ;

Whereas, the Additional Custodian held that for the land under Khasra Nos. 114 and 141 measuring 37 Kanals and 09 Marlas, which stands allotted to displaced persons namely Shri Shyam Das R/o Thandi Kassi, the compensation under section 14-A of the Evacuees' Property Act, be paid to the claimant and possession of land under Khasra No. 112 measuring 16 Kanals and 01 Marla be given to the claimant as the Displaced Persons' family had no right to retain the same, which was in excess of the ceiling prescribed under relevant norms for Displaced Persons ;

Whereas, against the restoration order dated 23-02-1982, passed by the Additional Custodian, Rajouri, Shri Des Raj (Allottee) filed an appeal, which was mainly confined to Khasra No. 112 only, measuring 16 Kanals and 01 Marla but did not challenge the order date 23-02-1982 in appeal or revision, before the competent forum ;

Whereas, Shri Des Raj S/o Shyam Das (Displaced Person), got the land under Khasra No. 112, allotted in his favour illegally and the allotment was also challenged by Mohd Shafi and Sultan Mohd before the Additional Custodian, Rajouri, who vide his order dated 23-02-1982 besides restoring the said land to actual owners, also set aside order dated 17-11-1982, whereby District Assistant Custodian, Rajouri, had illegally allotted land under Khasra No. 112 measuring 16 Kanals and 01 Marla to Des Raj S/o Displaced Person Shri Shyam Das and ordered restoration of possession of land under Khasra No. 112 to Mohd. Shafi and Others ;

Whereas, the Ld. Custodian General vide order dated 28-03-1985 dismissed the appeal titled Des Raj V/s. Mohd. Shafi ;

Whereas, against order dated 28-03-1985 passed in appeal titled Des Raj V/s. Mohd. Shafi and order dated 09-07-1985 passed in review petition titled Des Raj V/s. Mohd Shafi by the Custodian General, the revision petition titled Des Raj V/s. Mohd Shafi and Others was filed before J&K Specials Tribunal, Jammu ;

Whereas, Shri Mohd Shafi died and his legal heirs were brought on record and the revision petition was dismissed by Special Tribunal, Jammu on 03-02-1989 ;

Whereas, against the order dated 03-02-1989, an OWP No. 299/89 titled Des Raj V/s. Member, J&K Special Tribunal and others was also filed in the Hon'ble High Court. The Hon'ble Court set aside the order dated 03-02-1989 passed in revision petition by J&K Special Tribunal and orders dated 28-03-1984 and 09-07-1985 passed by Custodian General in appeal and review petition, respectively, and directed the Custodian General to re-admit the appeal and hear the same after giving proper notice to the parties. The issue involved in the writ petition was as to whether the court had powers to dismiss an appeal on merits when the appellant was not present in the court either personally or through his counsel. It was in this context that the Hon'ble High Court held that in the absence of counsel of appellant, the appeal should have been dismissed in default instead of returning findings on merits of the case ;

Whereas, order dated 23-02-1982 passed by the Additional Custodian was not disturbed even by the Hon'ble Court. The Hon'ble Court only ordered to re-admit the appeal and hear the same after giving proper notice to the parties, which matter was subsequently addressed and the appeal stands dismissed in default of appearance of the appellant and his counsel ;

Whereas, there is no pendency against the order dated 23-02-1982 passed by the Additional Custodian as opined by Sr. Standing Counsel of Evacuees' Property Department, who has also held that the claimants are entitled to compensation under section 14-A of the Evacuees' (Administration of Property) Act, in respect of the portion of the land which has been allotted and in possession of the Displaced Person Shyam Das. The claimants were also held entitled to the restoration of the possession of the land under Khasra No. 112, which is in possession of Des Raj, in excess of the prescribed ceiling ;

Whereas, the Custodian, Evacuees' Property, Jammu vide letter dated 26-02-2013 in reference to letter No. CG(EP)177/2011/AK dated 13-05-2011 sought a report from Tehsildar, Rajouri, vide his

letter No. OQ/761 dated 21-09-2012, Tehsildar, Rajouri reported that out of the total restored land measuring 53 Kanals and 10 Marlas, the Displaced Person of 1947 is in possession of the land measuring 32 Kanals as an allottee and as such the applicants are entitled to the compensation of the said 32 Kanals of land only ;

Whereas, Custodian General, J&K has recommended the case of the restorees for payment of compensation in respect of the said land measuring 32 Kanals, being with Displaced Persons of 1947.

Now, therefore, in exercise of the powers by section 14-A of J&K State Evacuees' (Administration of Property) Act, Samvat 2006, as amended vide Act No. XIX of 1987, it has been decided to assess the value of the aforesaid land for purpose of payment of compensation payable to the rightful claimants in terms of relevant provisions of the Land Acquisition Act.

The Collector, Land Acquisition (Assistant Commissioner, Revenue), Rajouri is further directed that while assessing the amount of compensation, he will also take into account all relevant provisions of the J&K Agrarian Reforms Act, Big Landed Estate Abolition Act, Evacuees' (Administration of Property) Act, or any other law for the time being in force on the subject matter right from the date of deletion of the property from the evacuees' record till the assessment of compensation amount, as regards actual entitlement of the restorees' right to hold property including those related to land ceiling laws/ inheritance to the property of the original proprietors.

The Collector, while initiation necessary assessment proceedings, shall conduct a detailed enquiry and establish as to whether the restorees are the only surviving legal heirs of the original proprietors or not and accordingly take a decision with regard to the entitlement of their claim of compensation/right to inherit property, under law or otherwise.

By order of the Government of Jammu and Kashmir.

(Sd.) MUHAMMAD AFZAL, IAS,

Secretary to Government,
Revenue Department.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 9th July, 2015/18th Asad., 1937. [No. 15

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PART II—A

Orders by Heads of Departments.

CHARGE REPORT

Subject :—Handing over and taking over charge of R&B Division, Baramulla.

We the undersigned do hereby handover and takeover the charge of R&B Division, Baramulla today on 23rd of May, 2015 in compliance to Government Order No. 113-PW(R&B) of 2014 dated 13-05-2015 issued under endorsement No. PW(R&B)G/41/2012-II dated 13-05-2015.

The details of cash balance is as under—

1. Cash in hand	Rs. 45600/-
2. Temporary imprest with subordinates	Rs. 47752.40
3. Temporary advance	Rs. 56168.70
4. Unreliazed cheques	Rs. Nil.

30 The J&K Govt. Gazette, 9th July, 2015/18th Asad., 1937. [No. 15

5. Cheque Book No. 215500	Last Cheque No. issued 215586 dated 15-05-2015.
6. Govt. Receipt Book	Last GR No. issued 4099879 dated 20-05-2015.
7. J&K Bank (TP) Branch, Baramulla Cheque Book No.	Last Cheque No. issued 489608 dated 20-05-2015.
8. J&K Bank (K. B. Adda), Branch Baramulla, Cheque Book No. 038101	Last Cheque No. issued 038116 dated 17-03-2015.

(Sd.) ER. NISAR HUSSAIN KAKPURI,

Executive Engineer,
R&B Division, Baramulla.

Relieved Officer.

(Sd.) ER. SHABIR AHMAD SHAH,

Executive Engineer,
R&B Division, Baramulla.

Relieving Officer.



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Vol. 128] Srinagar, Thu., the 9th July, 2015/18th Asad., 1937. [No. 15

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PART II—B

Notifications, Notices and Orders by the Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER,(REVENUE), PULWAMA.

Notification No. 79 of 2014

Dated 22-01-2015.

The Ex-Engineer, PHE Division, Shopian has placed an indent vide his No. PHS/SC/LC/4485-86 dated 08-10-2012 for acquisition of land for construction of OHT/Pump House for WSS, Babhar at Village Babhar, Tehsil and District Pulwama.

Therefore, in exercise of powers vested in me as Collector, Land Acquisition under section 4 (1) of J&K Land Acquisition Act,

Svt. 1990, I, Syed Sajjad Qadri (KAS) (Collector, Land Acquisition), Assistant Commissioner (Revenue), Pulwama, do hereby notify the land particulars of which are given below for public purpose namely for construction of OHT/Pump House for WSS, Babhar at Village Babhar, Tehsil and District Pulwama.

Particulars of land

District	Tehsil	Village	Survey No.	Area
K. M. S.				
Pulwama	Pulwama	Babhar	148 min	01–00–00

Objections, if any, provided under section 5 (A) of J&K Land Acquisition Act, with regard to the land to be acquired shall reach to this office within a stipulated period of fifteen days from the date of issuance of this notification in the Government Gazette/daily newspaper.

(Sd.) SYED SAJJAD QADRI, KAS,
Collector, Land Acquisition,
Pulwama.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER (REVENUE), PULWAMA.

Notification No. 80 of 2014

Dated 22-01-2015.

The Ex-Engineer, PMGSY, Pulwama has placed an indent for acquisition of land for construction of road from LO-27 to

Village Rawatpora at Village Rakhi Lajoora, Tehsil Pulwama, District Pulwama.

Therefore, in exercise of powers vested in me as Collector, Land Acquisition under section 4 (1) of J&K Land Acquisition Act, Svt. 1990, I, Syed Sajjad Qadri (KAS) (Collector, Land Acquisition), Assistant Commissioner (Revenue), Pulwama, do hereby notify the land particulars of which are given below for public purpose namely for construction of road from LO-27 to Village Rawatpora at Village Rakhi Lajoora, Tehsil Pulwama, District Pulwama.

Particulars of land

District	Tehsil	Village	Survey Nos.	Area
1	2	3	4	5
K. M. S.				
Pulwama	Pulwama	Rakhi Lajoora	646 min 00–09–00	
			565 min 00–12–00	
			566 min 00–06–06	
			567 min 00–10–00	
			535 min 00–06–06	
			578 min 00–13–00	
			585 min 01–01–06	
			586 min 00–07–03	

1	2	3	4	5
K. M. S.				
	587	min	00-04-06	
	588	min	00-05-03	
	598	min	01-00-00	
	596	min	00-04-08	
	595		00-02-06	
	66	min	00-10-00	
	62	min	00-10-06	
	36	min	00-09-03	
	37	min	00-05-03	
	Total 07-19-02			

Objections, if any, provided under section 5 (A) of J&K Land Acquisition Act, with regard to the land to be acquired shall reach to this office within a stipulated period of fifteen days from the date of issuance of this notification in the Government Gazette/daily newspaper.

(Sd.) SYED SAJJAD QADRI, KAS,
Collector, Land Acquisition,
Pulwama.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER (REVENUE), PULWAMA.

Notification No. 81

Dated 24-01-2015.

The Ex-Engineer, PMGSY, Pulwama has placed an indent for acquisition of land for construction of Tahab Shadipora road at Village Tahab Shadipora, Tehsil and District Pulwama.

Therefore, in exercise of powers vested in me as Collector, Land Acquisition Act, Svt. 1990, I, Syed Sajjad Qadri (KAS) (Collector Land Acquisition), Assistant Commissioner (Revenue), Pulwama, do hereby notify the land particulars of which are given below for public purpose namely for construction of Tahab Shadipora road at Village Tahab Shadipora, Tehsil and District Pulwama.

Particulars of land

District	Tehsil	Village	Survey Nos.	Area
K. M. S.				
Pulwama	Pulwama	Tahab Shadipora	1128 min 945 min	00-01-06 00-02-00
			Total	00-03-06

Objections, if any, provided under section 5 (A) of J&K Land Acquisition Act, with regard to the land to be acquired shall reach to

this office within a stipulated period of fifteen days from the date of issuance of this notification in the Government Gazette/daily newspaper.

(Sd.) SYED SAJJAD QADRI, KAS,
Collector, Land Acquisition,
Pulwama.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), UDHAMPUR.

Notification under sections 9 & 9-A of Land Acquisition Act,
No. X of 1990 BK.

Whereas, the land whose specification is given below is required for public purpose namely for construction of road by PWD in Village Diggi, Tehsil Panchari, District Udhampur.

Therefore, the owners/interested persons and the Indenting Department is hereby called upon to attend this office either in person or through an authorized agent within 15 days from the date of publication of this notice to state respective interest in the land amount and particular of their claims to compensation and their objection, if any, to measurement of land.

Specification of land

District	Tehsil	Village	Khasra No.	Area
Udhampur	Panchari	Diggi	183	K. M. S. 05-09-00

(Sd.)

Collector, Land Acquisition
(Assistant Commissioner, Revenue),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE DEPUTY COMMISSIONER, JAMMU.

Subject :— Declaration under sections 6 & 7 of the Land Acquisition Act, 1990 for 31 Kanals and 10 Marlas of land situated at Village Chak Phagwari, Tehsil Pargwal, District Jammu for public purposes i. e. for establishment of Border Out Post (BOP), Chak Phagwari ;

Notification No. 09/DCJ of 2014-15

Whereas, the land whose specifications are given below is needed for public purposes i. e. for establishment of Border Out Post (BOP) Chak Phagwari.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
K. M.				
Jammu	Pargwal	Chak Phagwari	116 min 00–10 127 min 00–17 128 min 01–00 129 min 01–04 130 min 00–03 131 min 02–19 132 min 02–14	

1	2	3	4	5
K. M.				
		133	min	04-03
		136	min	03-09
		137		04-10
		138		01-16
		139	min	01-08
		140	min	01-11
		141	min	01-01
		141/1	min	00-12
		171		01-00
		172	min	00-03
		173		01-10
		174	min	00-07
		175	min	00-12
		176	min	01-15
		177		04-11
		178		09-09

1	2	3	4	5
K. M.				
		180 min 01-11		
		193 min 01-00		
		194 min 00-14		
		195 min 00-16		
		196 min 00-16		
		197 min 00-14		
		198 05-05		
		201 min 01-00		
Total 59-09				

Whereas, notification as required under section 4 (1) of the Land Acquisition Act, 1990 (Svt.) was issued by the Collector, Land Acquisition, Sub-Divisional Magistrate, Akhnoor vide his endorsement No. SDM/Akh/LAC/13-14/271-79 dated 07-03-2014. However, due to creation of New Administration Units in the State vide SRO-441 of 2014 dated 21-10-2014, Village Chak Phagwari falls in Tehsil Pargwal, Sub-Division Khour, District Jammu ;

Whereas, the undersigned duly authorized by the Government vide SRO-235 & 236 of 2009 dated 11-08-2009 to exercise the powers under sections 6 & 7 of the Land Acquisition Act, 1990 (Svt.) is satisfied after considering the report furnished by the Collector, Land Acquisition, Sub-Divisional Magistrate, Khour vide letter

No. SDM/K/2015/758 dated 18-02-2015 that the land is required for public purpose viz. for establishment of Border Out Post (BOP), Chak Phagwari. Now, therefore, it is declared under section 6 of the said Act that the aforementioned land is needed for public purpose.

Further, the Collector, Land Acquisition, Sub-Divisional Magistrate, Khour is directed under section 7 of the said Act to take order for acquisition of the said land.

(Sd.)

Deputy Commissioner,
Jammu.

OFFICE OF THE ASSESSING AUTHORITY, COMMERCIAL
TAXES CIRCLE, LEH-LADAKH.

Notification under rule (1) of CST Rules (J&K), 1958, read with
rules 68 (J) of J&K VAT Rules, 2005.

No. 142/Dy. CCT/Leh

Dated 25-05-2015.

It has been reported by M/s. Ram Wool and Dupita Shop Center bearing TIN No. 01923010848 that the C-Forms bearing No. 05V- 499781, 05V-499782, 05V-499783, 05V-499784, 05V-499785, 05V-499786, 05V-499787, 05V-499788, has been lost during April, 2015. In this connection, indemnity bond for Rs. One Lacs has been obtained from the dealer against the form lost and the matter stands published in two daily newspapers viz.—

1. The Greater, Jammu Page No. 8 dated 22-04-2015.
2. The Rashtary Sahara, Page No. 6 dated 29-04-2015.

Hence, the said forms are declared obsolete and invalid for the purpose of section 67 (3) of the J&K VAT Act, 2005 read with rule 68 (K) of J&K VAT Rule, 2005. If any person fraudulently using the said C-Form will render himself liable for penal action under relevant provision of the aforesaid Act.

The person who find the said C-Forms will please return the same to the undersigned.

1. No. of C-Forms Lost : 08.
2. S. No. of C-Form lost : 05V- 499781, 05V-499782,
05V-499783, 05V-499784,
05V-499785, 05V-499786,
05V-499787, 05V-499788.
3. Name and address of the : M/s. Ram Wool and Dupita
dealer to whom the forms Center.
was issued by the
department
4. Registration No. : 01923010848.
5. Whether lost/stolen/
destroyed : Lost.
6. The name and address : Not applicable.
of the dealer to whom
the C-Forms were issued

(Sd.)

Assessing Authority,
Commercial Taxes Circle, Leh.

OFFICE OF THE ASSESSING AUTHORITY, COMMERCIAL
TAXES CIRCLE, LEH-LADAKH.

Notification under rule (1) of CST Rules (J&K), 1958, read with rules
68 (J) of J&K VAT Rules, 2005.

No. 143/Dy. CCT/Leh

Dated 25-05-2015.

It has been reported by M/s. Coral Hue Fort Road, Tukcha, Leh bearing TIN No. 01142250021, that the C-Forms bearing No. 05V-499609, 05V-499610, 05V-499611, 05V-499612, has been lost 13 February, 2015. In this connection, indemnity bond for Rs. Two Lacs has been obtained from the dealer against the form lost and the matter stands published in two daily newspapers viz.—

1. State Times, Page No. 11 dated 19-04-2015.

2. Greater, Jammu, Page No. 08 dated 25-02-2015.

Hence, the said forms are declared obsolete and invalid for the purpose of section 67 (3) of the J&K VAT Act, 2005 read with rule 68 (K) of J&K VAT Rule, 2005. If any person fraudulently using the said C-Forms will render himself liable for penal action under relevant provision of the aforesaid Act.

The person who find the said C-Forms will please return the same to the undersigned.

1. No. of C-Forms Lost : 04.

2. S. No. of C-Form lost : 05V-499609, 05V-499610,
05V-499611, 05V-499612.

3. Name and address of the : M/s. Coral Hue.
dealer to whom the forms
was issued by the
department
4. Registration No. : 01142250021.
5. Whether lost/stolen/ destroyed : Lost.
6. The name and address of the dealer to whom the C-Forms were issued : Not applicable.

(Sd.).....

Assessing Authority,
Commercial Taxes Circle, Leh.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE,
KHALTSI.

Subject :— Acquisition of land for construction of road to Village Skindiyang.

Notification

In exercise of the powers conferred upon me under section 4 (1) of Land Acquisition Act, 1990, I, Barkat Ali Lone, KAS, Collector, Land Acquisition (SDM), Khaltsi, do hereby notify that the land measuring 13 Kanals 10 Marlas situated at Village Skindiyang, Tehsil Khaltsi particulars of which are given below. The said land has already been occupied by the Roads and Buildings Department, Khaltsi for public purpose namely construction of approach road. Objection

relating to the acquisition. If any can be filed within a period of 15 days from the issuance of this notification. Objections filed after expiry of 15 days will not be entertained under rules. Particulars of the land to be acquired are as under :—

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
K. M.				
Leh	Khaltsi	Skindiyang	75	00–02
			79	00–06
			80	00–04
			86	00–09
			87	00–06
			198	00–02
			204	00–01
			206	00–02
			240	01–08
			243	00–02
			244	00–04
			245	00–01
			251	00–19
			265	00–06
			266	00–05

1	2	3	4	5
K. M.				
	267	00-01		
	299	01-16		
	301	00-03		
	305	00-02		
	329	00-03		
	340	00-17		
	416/238	00-07		
	485/442/300	01-00		
	486/442/300	02-14		
	506/257	00-13		
	545/312	00-04		
	547/303	00-13		
			Total	13-10
				—

Cultivated : 12 Kanals 17 Marlas.

Uncultivated : 13 Kanals 10 Marlas.

(Sd.)

Sub-Divisional Magistrate,
Collector, Land Acquisition,
Khaltsi.

282 The J&K Govt. Gazette, 9th July, 2015/18th Asad., 1937. [No. 15

GOVERNMENT OF JAMMU AND KASHMIR,
DEPARTMENT OF GEOLOGY AND MINING.

Certificate of Approval

(See *Chapter-II of JKMMCR, 1962*)

The Certificate of Approval (COA) is granted to Shri Mohan Paul Singh Pannu S/o Shri Iqbal Singh Pannu R/o 1142, Sector-33C, Chandigarh in terms of Chapter-II, rules 4 to 8 of J&K Minor Mineral Concession Rules, 1962.

This certificate is valid up to 31st December, 2015.

(Sd.)

Director,
Geology and Mining,
J&K Government, Jammu.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 9th July, 2015/18th Asad., 1937. [No. 15

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS-C

**GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF STATIONERY AND OFFICE SUPPLIES,
J&K, SRINAGAR.**

EXTENSION NOTICE

It is notified for general information of all concerned that the e-Tendering notice vide No. DSS/09 of 2015 dated 25-05-2015 and No. DSS/10 of 2015 dated 25-05-2015 for Paper and Paper Products and Stationery/Binding items respectively, the date of the opening of bids uploaded/submitted in electronic format is hereby extended as under :—

- i. The bids shall be uploaded/submitted in electronic format on the website <http://jktenders.gov.in> up to 08-07-2015 (4.00 P. M.).
- ii. The uploaded bids on the website will be opened on 21-07-2015 (12.00 Noon).

Note :—Cost of tender document (in the shape of Demand Draft) in favour of Director, Stationery and Office Supplies, J&K and Earnest Money (in shape of CDR/FDR) in original favouring Director/

Chairman, Central Purchase Committee, Directorate of Stationery and Government Presses, Jammu/Srinagar along with duly packed samples for every quoted item and requisite documents i. e. Dealership Certificate, Registration/TIN Number, Latest Production Capacity Certificate from Industries Department for SSI Unit holders in shape of hard copy should reach in the Office of Member- Secretary, Central Purchase Committee C/o Directorate of Stationery and Office Supplies, J&K, Zum Zum Hotel, Rambagh, Srinagar on 09-07-2015 to 10-07-2015 (4.00 P. M.) through by Person-Speed Post/Registered Post/Courier only before due date of submission of bid. Department shall not be responsible for any delay due to any reason.

(Sd.)

Member-Secretary,
Central Purchase Committee of Dte.
of Sationery and Government Presses,
Jammu/Srinagar, J&K, Srinagar.

POLICE HEADQUARTERS J&K, SRINAGAR.

Extension Notice

The last date for submission of tenders and online opening of the technical bids fixed for 30th of June, 2015 and 2-7-2015 respectively under e-Tender Notice No. 11 of 2015 dated 23-5-2015 floated for procurement of Digital Trunking System APCO-25 are hereby extended as under in view of some administrative reasons :—

1. Last date for submission of tenders 08-7-2015 up to 1800 hours.
2. Online opening of technical bids 10-7-2015 at 1100 hours.

However, other contents and terms and condition of the e-Tender shall remain unchanged.

(Sd.)

(AIG Provision/Transport)
For Director General of Police,
J&K, Srinagar.

رجسٹرڈ نمبر جے کے - 33



جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 128 - سرینگر - مورخہ 9 جولائی 2015ء بھطابق 18 اساز 1937ء ویروار نمبر 15

اشتہارات

از عدالت منصف جوڈیشل محکمہ ریٹ درجہ اول اودھمپور

سرکار بنام:-

محل نمبر 49 / چالان، تاریخ دائرہ 26-07-2010

علت نمبر 164 سال 2010ء، تھانہ پولیس اودھمپور

بجا تم زیر دفعات : 188 RPC, 3 PCA Act,

وارنٹ گشتی عام زیر دفعہ 512 ضف

حکم بنام : جملہ اہلکار ان پولیس ریاست جموں و کشمیر
معاملہ مندرجہ عنوان الصدر میں ملزم محمد فیض عرف ولد محمد حسین قوم بکروال
ساکنہ خانپور نگر روڈ تھیصل جموں ضلع جموں کے خلاف SPO صاحب نے چالان پیش
کر کے استدعا کی ہے کہ ملزم بعد ارتکاب جرم روپوش ہو چکا ہے اور مذکورہ کی سردست
وستیابی کی کوئی امید نہ ہے، اس نسبت بیان تعییل کنندہ و O/I قلمبند کیا گیا جس سے
عدالت ہذا کو اطمینان ہوا ہے کہ ملزم بعد ارتکاب جرم روپوش ہو گیا ہے اور مذکورہ کی
حسب معمول وستیابی عمل میں لائی جانی ناممکن ہے۔

لہذا جملہ اہلکار ان پولیس ریاست جموں و کشمیر کو وارثت ہذا کی رو سے
حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر
میں دستیاب ہو تو مذکورہ کو گرفتار کر کے عدالت مجاز میں پیش کریں۔

وارثت ہذا آج مورخہ 09-02-2015ء میرے دستخط و مہر عدالت سے

جاری ہوا۔ تحریر الصدر

دستخط : مُنصف جوڈیشل مجسٹریٹ درجہ اول اودھمپور۔

از عدالت پرنسپل سیشن جج سرینگر

سرکار بنام عبدالواحد گلکار وغیرہ

عمل نمبر 88 سال 2012ء ، تھانہ پولیس خانیار

باجام زیر دفعات : 420,406,295 A, 120 B, RPC

وارنٹ گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : بیان واحد گلکار ولد عبدال واحد گلکار ساکنہ چندہ پورہ ہارون

حکم بنام : الہکار ان پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الاصدر میں ملزم متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آ رہا ہے، اُس کو بارہا بطریق معمول طلب کیا گیا ہے۔ الاتا ہنوز دستیاب نہ ہوا تھیں کنندہ نے اپنے روپرٹ میں تحریری طور اظہار کیا کہ ملزم مذکورہ کا کوئی آتہ پتہ نہ ہے اور اُس کی دستیابی بطریق معمول ناممکن ہے۔ فاضل پی پی نے بھی اپنے بیان میں سراجلas اظہار کیا کہ ملزم مذکور مفروض ہے، اس طور عدالت ہذا کو اطمینان ہوا ہے کہ واقعی ملزم مذکور کو بطریق معمول طلب کرنا ناممکن ہے۔

لہذا حکم ہوا کہ ملزم متذکرہ صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو اسے گرفتار کر کے عدالت ہذا میں پیش کریں۔ درج رہے کہ وارنٹ ہذا تادستیاب ملزم زیر کار رہے گا۔ تحریر 20-12-2014

سرکار بنام عبد الواحد گلکار وغیرہ

علت نمبر 88 سال 2012ء، تھانہ پولیس خانیار

بجرائم زیر دفعات : 420,406,295 A, 120 B, RPC

وارنٹ گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : عبدالواحد گلکار ولد عبدال واحد گلکار ساکنہ چندہ پورہ ہارون

حکم بنام : الہکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آ رہا ہے، اس کو بارہ بطریق معمول طلب کیا گیا ہے، الاتا ہنوز دستیاب نہ ہوا تعلیل کنندہ نے اپنے روپورٹ میں تحریری طور اظہار کیا کہ ملزم مذکورہ کا کوئی آتھ پتہ نہ ہے اور اس کی دستیابی بطریق معمول ناممکن ہے، فاضل پی پی نے بھی اپنے بیان میں سراجlas اظہار کیا کہ ملزم مذکور مفترور ہے، اس طور عدالت ہذا کو اطمینان ہوا ہے کہ واقعی ملزم مذکور کو بطریق معمول طلب کرنا ناممکن ہے۔

لہذا حکم ہوا کہ ملزم متذکرہ صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو اسے گرفتار کر کے عدالت ہذا میں پیش کریں۔ درج رہے کہ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر الصر

سرکار بنام عبدالواحد گلکار وغیرہ

ملت نمبر 88 سال 2012ء تھانہ پولیس خانیار

بجرائیم زیر دفعات : 420,406,295 A, 120 B, RPC

وارنٹ گرفتاری عام زیر دفعہ 512 ضف

بخلاف ملزم : ارسلان گلکار ولد عبدالواحد گلکار ساکنہ چندہ پورہ ہارون

حکم بنام : اہلکار ان پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آ رہا ہے، اُس کو بارہ بطریق معمول طلب کیا گیا ہے، الاتا ہنوز دستیاب نہ ہوا تعلیم کنندہ نے اپنے رپورٹ میں تحریری طور اظہار کیا کہ ملزم مذکورہ کا کوئی آتے پتہ نہ ہے اور اُس کی دستیابی بطریق معمول ناممکن ہے، فاضل پی پی نے بھی اپنے بیان میں سرا جلاس اظہار کیا کہ ملزم مذکور مفترور ہے، اس طور عدالت ہذا کو اطمینان ہوا ہے کہ واقعی ملزم مذکور کو بطریق معمول طلب کرنا ناممکن ہے۔

لہذا حکم ہوا کہ ملزم متذکرہ صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو اسے گرفتار کر کے عدالت ہذا میں پیش کریں۔ درج رہے کہ وارث ہذا تادستیابی ملزم زیر کار رہے گا۔ تحریر الصدر

و سختخط : پرنسپل سیشن نجح سرینگر۔

از عدالت جو ڈیشل محسنیٹ درجہ اول با نہال

سرکار بنام بلاں احمد وغیرہ

علت نمبر 85 سال 2014ء

جزم زیر دفعہ 379 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضف

بخلاب ملزم : بلاں احمد ولد محمد رفیق ملک ساکنہ کسلوٹ بانہال ضلع رام بن

حکم بنام : الہکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم متذکرہ بالا مقدمہ ہذا میں مطلوب ہے،

الہکاران پولیس نے ملزم صدر کی کافی تلاش کی، لہ ملزم صدر دستیاب نہ ہو رہے ہیں

اور روپوش ہیں اور نہ ہی ملزم صدر کی دستیابی کی کوئی امید ہے۔

لہذا الہکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم صدر جہاں کہیں بھی اندر حدود جموں و کشمیر دستیاب ہو گرفتار کر کے ہمارے رو برو پیش کریں۔

آج مورخہ 12-03-2015 کو مہر عدالت و میری دستخط سے جاری ہوا ہے۔

دستخط: جوڈیشل محسریٹ درجہ اول بانہال

از عدالت پر پسل سیشن بح ج بحدروواہ

سرکار بنام موئے وغیرہ

علت نمبر 68 سال 2014ء، تھانہ پولیس گندو

بجرائم زیر دفعات : 436/427 RPC 147/201

وارنٹ گشتی عام بمنشاء دفعہ 512 ضف

ضمیمہ ج۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 15 مورخہ 9 جولائی 2015ء، بمطابق 18 اساز ہ 1937ء - 79

حکم بنام : اہلکار ان پولیس ریاست جموں و کشمیر
معاملہ مندرجہ عنوان الصلدر میں ملزم دین محمد ولد مسکین ساکنہ مٹو کونا تحصیل گندو
بعد ارتکاب جرم روپوش ہو چکا ہے جسکی تعییل بطریق معمول ہونا ممکن نہ ہے۔ لہذا
ذکورہ کے خلاف کارروائی بمنشاء دفعہ 512 ضف عمل میں لائی گئی ہے۔

لہذا اہلکار ان پولیس ریاست جموں و کشمیر کو اس تحریر کی رو سے حکم و
اختیار دیا جاتا ہے کہ مندرجہ بالا ملزم جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر
وستیاب ہو کر فتاویٰ کر کے رو برو عدالت ہذا پیش کریں۔ وارنٹ مجریہ ہذا تاوستیابی
ملزم زیر کار رہے گا۔ تحریر 25-03-2015

سرکار بنام موئے وغیرہ

ملت نمبر 68 سال 2014ء، تھانہ پولیس گندو

بجرائیم زیر دفعات : 436/427 RPC 147/201

وارنٹ گشتی عام بمنشاء دفعہ 512 ضف

حکم بنام : اہلکار ان پولیس ریاست جموں و کشمیر

80۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 15 مورخہ 9 جولائی 2015ء برطابن 18 اسازہ 1937ء ضمیم

معاملہ مندرجہ عنوان الصدر میں ملزم نور حسین ساکنہ مٹو کونا تحصیل گندو بعد
ارتکاب جرم روپوش ہو چکا ہے جسکی تعییں بطریق ہونا ممکن نہ ہے۔ لہذا مذکورہ کے
خلاف کارروائی بمنشاء دفعہ 512 ضف عمل میں لائی گئی ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو اس تحریر کی رو سے حکم و
اختیار دیا جاتا ہے کہ مندرجہ بالا ملزم جہاں کہیں بھی اندر حدود ریاست
جموں و کشمیر دستیاب ہو کو گرفتار کر کے رو برو عدالت ہذا پیش کریں۔ وارث
محریہ ہذا تادستیابی ملزم زیر کار رہے گا۔ تحریر 25-03-2015

و تنخیط:-

پرنسپل سیشن جج بھدر واہ۔

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EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 128] Srinagar, Mon., the 29th June, 2015/8th Asad., 1937. [No. 13-1

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

CORRIGENDUM

Subject :—Correction regarding correction of area in the Notification No. 30 dated 12-05-2014, issued under endorsement No. DCK/LHS/2014-15/321-31 dated 12-05-2014 in respect

of land situated in Village Chak Budhu, Tehsil Hiranagar, District Kathua (The total area decreased by 01 MI).

The land measuring 18 Kls. 15 Mls. 07½ Sarsai situated at Village Chak Budhu, Tehsil Hiranagar, District Kathua was notified vide this office Notification No. 30 dated 12-05-2014, issued under endorsement No. DCK/LHS/2014-15/321-31 dated 12-05-2014 under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014 for the purpose namely underground laying of gas pipelines or any other utility. In this notification, against the item mentioned at S. No. 01, the area of No. Khasra 68 may be read as 13 MI. instead of 12 MI. 06 Sarsai (Increased = 03 Sarsai having kind of soil Nehri), at S. No. 02, the area of No. Khasra 69 may be read as 01 Kl. 04 MI. instead of 01 Kl. 04 MI. 01 Sarsai (Decreased = 01 Sarsai having kind of soil Nehri), at S. No. 03, the area of No. Khasra 70 may be read as 05 Kl. 07 MI instead of 05 Kl. 01 MI. 02 Sarsai (Increased = 05 MI. 07 Sarsai having kind of soil Nehri), at S. No. 04, the area of No. Khasra 72 may be read as 12 MI. instead of 11 MI. 03 Sarsai (Increased = 06 Sarsai having kind of soil Nehri), at S. No. 05, the area of No. Khasra 73 may be read as 05 MI. instead of 04 MI. 04 Sarsai (Increased = 05 Sarsai having kind of soil Nehri), at S. No. 06, the area of No. Khasra 74 may be read as 01 Kl. 16 MI. instead of 01 Kl. 16 MI. 06 Sarsai (Decreased = 06 Sarsai having kind of soil Nehri), at S. No. 07, the area of No. Khasra 77 may be read as 06 MI. instead of 05 MI. 07 Sarsai (Increased = 02 Sarsai having kind of soil Nehri), at S. No. 08, the area of No. Khasra 90 may be read as 04 MI. instead of 04 MI. 03 Sarsai (Decreased = 03 Sarsai having kind of soil Gair Mumkin), at S. No. 09, the area of No. Khasra 91 may be read as 03 MI. instead of 02 MI. 04 Sarsai (Increased = 05 Sarsai having kind of soil Gora), at S. No. 10, the area of No. Khasra 92 may be read as 12 MI. instead of 11 MI. 05 Sarsai (Increased = 04 Sarsai having kind of soil Gora), at S. No. 11, the area of No. Khasra 93 may be read as 13 MI. instead of 13 MI. 03 Sarsai (Decreased = 03 Sarsai having kind of soil

Gora), at S. No. 12, the area of No. Khasra 96 may be read as 03 MI. instead of 02 MI. 06 Sarsai (Increased = 03 Sarsai having kind of soil Warhal Awal), at S. No. 13, the area of No. Khasra 97 may be read as 08 MI. instead of 08 MI. 03 Sarsai (Decreased= 03 Sarsai having kind of soil Warhal Awal), at S. No. 14, the area of No. Khasra 98 may be read as 02 MI. instead of 01 MI. 06 Sarsai (Increased = 03 Sarsai having kind of soil Warhal Awal), at S. No. 15, the area of No. Khasra 99 may be read as 04 MI. instead of 03 MI. 05 Sarsai (Increased = 04 Sarsai having kind of soil Gair Mumkin), at S. No. 17, the area of No. Khasra 113 may be read as 06 MI. instead of 05 MI. 07 Sarsai (Increased = 02 Sarsai having kind of soil Gora), at S. No. 18, the area of No. Khasra 112 may be read as 15 MI. instead of 14 MI. 07 Sarsai (Increased = 02 Sarsai having kind of soil Warhal Awal), at S. No.19, the area of No. Khasra 111 may be read as 18 MI. instead of 17 MI. 01 Sarsai (Increased = 08 Sarsai having kind of soil Warhal Awal), at S. No. 20, the area of No. Khasra 110 may be read as 01 Kl. 07 MI. instead of 01 Kl. 05 MI. 07 Sarsai (Increased = 01 MI. 02 Sarsai having kind of soil Gora), at S. No. 21, the area of No. Khasra 118 may be read as 08 MI. instead of 06 MI. 06 Sarsai (Increased = 01 MI. 03 Sarsai having kind of soil Gair Mumkin), at S. No. 23, the area of No. Khasra 120 may be read as 12 MI. instead of 12 MI. 02 Sarsai (Decreased = 02 Sarsai having kind of soil Warhal Awal), at S. No. 24, the area of No. Khasra 121 may be read as 01 MI. instead of 06 Sarsai (Increased = 03 Sarsai having kind of soil Banjar Qadeem), at S. No. 25, the area of No. Khasra 123 may be read as 11 MI. instead of 11 MI. 03 Sarsai (Decreased = 03 Sarsai having kind of soil Warhal Awal), at S. No. 26, the area of No. Khasra 124 may be read as 01 MI. instead of 04 Sarsai (Increased = 05 Sarsai having kind of soil Gair Mumkin Choi), at S. No. 27, the area of No. Khasra 125 may be read as 01 MI. instead of 08 Sarsai (Increased = 01 Sarsai having kind of soil Warhal Awal), at S. No. 28, the area of No. Khasra 75 may be read as Nil instead of $\frac{1}{2}$ Sarsai (Decreased = $\frac{1}{2}$ Sarsai having kind of soil Nehri), the total area under acquisition of rights of user in land is 19 Kl. 08 MI. instead of 18 Kl. 15 MI. 7 $\frac{1}{2}$ Sarsai (The total area increased by 14 MI. 05 Sarsai and

decreased by 02 Ml. 3½ Sarsai), situated in Village Chak Budhu, Tehsil Hiranagar, District Kathua.

The total area under acquisition of rights of user in land shall be read notified as 19 Kl. 08 Ml. instead of 18 Kl. 15 Ml. 7½ Sarsai, situated at Village Chak Budhu, Tehsil Hiranagar, District Kathua.

The kind-wise breakup of land is given as :—

Kind of land

Nehri	Warhal	Gora	Banjar	Gair	Total
	Awal		Qadeem	Mumkin	
Note :—	K. M. S.				
	10-03-00	03-13-00	04-14-00	00-01-00	00-17-00 19-08-00

(Sd.) ATUL GUPTA, KAS,

Assistant Commissioner, Revenue
(Competent Authority), Kathua.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Mon., the 29th June, 2015/8th Asad., 1937. [No. 13-2

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

CORRIGENDUM

Subject :—Correction regarding :— At S. No. 02 of Notification 3 (1) dated 20-06- 2014, the area of No. Khasra 20 may be read as 02 Kl. 16 Ml. instead of 02 Kl. 18 Ml. (Decreased = 02 Ml.

having kind of soil Nehri), the total area under acquisition of rights of user in land is 20 Kl. 05 Ml. instead of 20 Kl. 07 Ml. (The total area decreased by 02 Marla).

The land measuring 20 Kl. 07 Ml. situated at Village Thirdu, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua was notified vide this office Notification No. 42 dated 20-06-2014, issued under endorsement No. DCK/LHS/2014-15/548-58 dated 20-06-2014 under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014 for the purpose namely underground laying of gas pipelines or any other utility. In this Notification, against the item No. mentioned at S. No. 02 of notification 3 (1) dated 20-06-2014, the area of No. Khasra 20 may be read as 02 Kl. 16 Ml. instead of 02 Kl. 18 Ml. (Decreased = 02 Ml. having kind of soil Nehri), the total area under acquisition of rights of user in land is 20 Kl. 05 Ml. instead of 20 Kl. 07 Ml. (The total area decreased by 02 Marla).

The total area under acquisition of rights of user in land shall be read notified as 20 Kl. 05 Ml. instead of 20 Kl. 07 Ml. situated at Village Thirdu, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua.

The kind-wise breakup of land is given as :—

Kind of land

	Warhal Awal	Gair Mumkin	Total
Note :—	K. M. S. 19-07-00	K. M. S. 00-18-00	K. M. S. 20-05-00

(Sd.) ATUL GUPTA, KAS,

Assistant Commissioner, Revenue
(Competent Authority), Kathua.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Mon., the 29th June, 2015/8th Asad., 1937. [No. 13-3

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

CORRIGENDUM

Subject :—Correction regarding area in the Notification No. 41 dated 20-06-2014, issued under endorsement No. DCK/LHS/2014-15/537-47 dated 20-06-2014 in respect of land situated

in Village Bhagwal, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua (The total area increased by 02 Ml.).

The land measuring 33 Kls. 11 Mls. situated at Village Bhagwal, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua was notified vide this office Notification No. 41 dated 20-06-2014, issued under endorsement No. DCK/LHS/2014-15/537-47 dated 20-06-2014 under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014 for the purpose namely underground laying of gas pipelines or any other utility. In this notification, against the item mentioned at S. No. 12, the area of No. Khasra 260 may be read as 1 Kl. 15 Ml. instead of 01 Kl. 13 Ml. (Increased = 02 Ml. having kind of soil Nehri), the total area under acquisition of rights of user in land is 33 Kl. 13 Ml. instead of 33 Kl. 11 Ml. situated in Village Bhagwal, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua.

The total area under acquisition of rights of user in land shall be read notified as 33 Kl. 13 Ml. instead of 33 Kl. 11 Ml., situated in Village Bhagwal, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua.

The kind-wise breakup of land is given as :—

Kind of land

	Nehri	Gair Mumkin	Total
Note :—	K. M. 28-19	K. M. 04-14	K. M. 33-13

(Sd.) (Sd.) ATUL GUPTA, KAS,

Assistant Commissioner, Revenue
(Competent Authority), Kathua.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Mon., the 29th June, 2015/8th Asad., 1937. [No. 13-4

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

CORRIGENDUM

Subject :—Correction regarding correction of area in the Notification No. 46 dated 20-06-2014, issued under endorsement No. DCK/LHS/2014-15/592-602 dated 20-06-2014 in respect

of land situated in Village Hamirpur, Tehsil Hiranagar presently Tehsil Marheen, District Kathua (The total area decreased by 01 Kl. 02 Ml.).

The land measuring 39 Kls. 11 Mls. situated at Village Hamirpur, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua was notified vide this office Notification No. 46 dated 20-06-2014, issued under endorsement No. DCK/LHS/2014-15/592-602 dated 20-06-2014 under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014 for the purpose namely underground laying of gas pipelines or any other utility. In this notification, against the item mentioned at S. No. 02, the area of No. Khasra 57 may be read as 2 Kl. 12 Ml. instead of 03 Kl. 05 Ml. (Decreased = 13 Ml. having kind of soil Abi Doem) and at S. No. 21, the area of No. Khasra 150 may be read as 01 Kl. 14 Ml. instead of 02 Kl. 03 Ml. (Decreased = 09 Ml. having kind of soil Abi Doem), the total area under acquisition of rights of user in land is 38 Kl. 09 Ml. instead of 39 Kl. 11 Ml. (The total area decreased by 01 Kl. 02 Ml.), situated in Village Hamirpur, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua.

The total area under acquisition of rights of user in land shall be read notified as 38 Kl. 09 Ml. instead of 39 Kl. 11 Ml. situated in Village Hamirpur, Tehsil Hiranagar, presently Tehsil Marheen, District Kathua.

The kind-wise breakup of land is given as :—

Kind of land

	Abi Doem	Gair Mumkin	Total
Note :—	K. M. 30-18	K. M. 07-11	K. M. 38-09

(Sd.) ATUL GUPTA, KAS,

Assistant Commissioner, Revenue
(Competent Authority), Kathua.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Mon., the 29th June, 2015/8th Asad., 1937. [No. 13-5

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ASSISTANT COMMISSIONER, REVENUE
(COMPETENT AUTHORITY), KATHUA.

CORRIGENDUM

Subject :—Correction regarding :- At S. No. 02 of Notification 3 (1) dated 24-05-2014, the area of No. Khasra 99 may be read as 19 M1. instead of 01 Kl. 04 Ml. (Decreased = 05 Ml. having

kind of soil Warhal Awal), the total area under acquisition of rights of user in land is 05 Kl. 11 Ml. instead of 05 Kl. 16 Ml. (The total area decreased by 05 Ml.).

The land measuring 05 Kl. 16 Ml. situated at Village Chak Ganga Ram, Tehsil Hiranagar, District Kathua was notified vide this office Notification No. 34 dated 24-05-2014, issued under endorsement No. DCK/LHS/2014-15/464-74 dated 24-05-2014 under sub-section (1) of section 3 of the Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014 for the purpose namely underground laying of gas pipelines or any other utility. In this notification, against the item No. mentioned at S. No. 02 of Notification 3 (1) dated 24-05-2014, the area of No. Khasra 99 may be read as 19 Ml. instead of 01 Kl. 04 Ml. (Decreased = 05 Ml. having kind of soil Warhal Awal), the total area under acquisition of rights of user in land is 05 Kl. 11 Ml. instead of 05 Kl. 16 Ml. (The total area decreased by 05 Ml.) situated in Village Chak Ganga Ram, Tehsil Hiranagar, District Kathua.

The total area under acquisition of rights of user in land shall be read notified as 05 Kl. 11 Ml. instead of 05 Kl. 16 Ml. situated at Village Chak Ganga Ram, Tehsil Hiranagar, District Kathua.

The kind-wise breakup of land is given as :—

Kind of land

	Warhal Awal	Pail Nehri	Gair Mumkin	Total
Note :—	K. M. 00-19	K. M. 03-19	K. M. 00-13	K. M. 05-11

(Sd.) ATUL GUPTA, KAS,

Assistant Commissioner, Revenue
(Competent Authority), Kathua.

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART IV
Reprints from the Government of India Gazette.

MINISTRY OF LAW AND JUSTICE
(LEGISLATIVE DEPARTMENT)

New Delhi, the 15th June, 2015/Jyaistha 25, 1937 (Saka).

THE NEGOTIABLE INSTRUMENTS (AMENDMENT)
ORDINANCE, 2015
(No. 6 of 2015)

Promulgated by the President in the Sixty-sixth Year of the Republic of India.

An Ordinance further to amend the Negotiable Instruments Act, 1881.

Whereas, the Negotiable Instruments (Amendment) Bill, 2015 has been passed by the House of the People and is pending in the Council of States ;

And whereas, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (I) of Article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

1. *Short title and commencement.*—(1) This Ordinance may be called the Negotiable Instruments (Amendment) Ordinance, 2015.

(2) It shall come into force at once.

2. *Amendment of section 6.*—In the Negotiable Instruments Act, 1881 (26 of 1881), (hereinafter referred to as the principal Act), in section 6,—

(i) in Explanation I, for clause (a), the following clause shall be substituted, namely :—

‘(a) “a cheque in the electronic form” means a cheque drawn in electronic form by using any computer resource and signed in a secure system with digital signature (with or without biometrics signature) and asymmetric crypto system or with electronic signature, as the case may be ; ’;

(ii) after Explanation II, the following Explanation shall be inserted, namely :—

‘Explanation III.—For the purposes of this section, the expressions “asymmetric crypto system”, “computer resource”, “digital signature”, “electronic form” and “electronic signature” shall have the same meanings respectively assigned to them in the Information Technology Act, 2000 (21 of 2000).

3. *Amendment of section 142.*—In the principal Act, section 142 shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely :—

“(2) The offence under section 138 shall be inquired into and tried only by a court within whose local jurisdiction,—

- (a) if the cheque is delivered for collection through an account, the branch of the bank where the payee or holder in due course, as the case may be, maintains the account, is situated ; or
- (b) if the cheque is presented for payment by the payee or holder in due course otherwise through an account, the branch of the drawee bank where the drawer maintains the account, is situated.

Explanation :—For the purposes of clause (a), where a cheque is delivered for collection at any branch of the bank of the payee or holder in due course, then, the cheque shall be deemed to have been delivered to the branch of the bank in which the payee or holder in due course, as the case may be, maintains the account.”.

4. *Validation for transfer of pending cases.*—In the principal Act, after section 142, the following section shall be inserted, namely :—

“142A. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), or any judgment, decree, order or directions of any court, all cases arising out of section 138 which were pending in any court, whether filed before it, or transferred to it, before the commencement of the Negotiable Instruments (Amendment) Ordinance, 2015 shall be transferred to the court having jurisdiction under sub-section (2) of section 142 as if that sub-section had been in force at all material times.

(2) Notwithstanding anything contained in sub-section (2) of section 142 or sub-section (1), where the payee or the holder in due course, as the

case may be, has filed a complaint against the drawer of a cheque in the court having jurisdiction under sub-section (2) of section 142 or the case has been transferred to that court under sub-section (1), and such complaint is pending in that court, all subsequent complaints arising out of section 138 against the same drawer shall be filed before the same court irrespective of whether those cheques were delivered for collection or presented for payment within the territorial jurisdiction of that court.

(3) If, on the date of the commencement of the Negotiable Instruments (Amendment) Ordinance, 2015, more than one prosecution filed by the same payee or holder in due course, as the case may be, against the same drawer of cheques is pending before different courts, upon the said fact having been brought to the notice of the court, such court shall transfer the case to the court having jurisdiction under sub-section (2) of section 142 before which the first case was filed and is pending, as if that sub-section had been in force at all material times.” .

PRANAB MUKHERJEE,
President.

(Sd.) DR. MUKULITA VIJAYAWARGIYA,
Additional Secretary to the Government of India.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Fri., the 26th June, 2015/5th Asad., 1937. [No. 13-8

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

Dated 26th June, 2015.
5 Asadha, 1937 (Saka).

Notification

No. 56/2015/PPS-II.—In exercise of the powers conferred by Article 324 of the Constitution of India read with Rules 5 and 10 of the Conduct of Elections Rules, 1961, the Election Commission of India hereby

makes the following Order to further amend the Election Symbols (Reservation and Allotment) Order, 1968, namely :—

1. *Short title and commencement.*—(i) This Order shall be called the Election Symbols (Reservation and Allotment) (Amendment) Order, 2015.

(ii) It shall come into force with immediate effect.

2. *Substitution of paragraph 10B.*—In the Election Symbols (Reservation and Allotment) Order, 1968, for the existing paragraph 10B, the following paragraph shall be substituted, namely :—

“10B. Concession to candidates set up by registered (unrecognized) parties and to unrecognized parties which were earlier recognized parties more than 6 years back.

Subject to the provisions of clause (b) of sub-paragraph (3) of paragraph 12, the candidates set up by a registered unrecognized political party at the general election to the Legislative Assembly of a State or to the House of the People, may be allotted a common symbol, subject to fulfilment of the following conditions :—

(A) At a general election to the Legislative Assembly—

(i) The party sets up candidates at least in 5% (five per cent) of the assembly constituencies in the State, subject to a minimum of three constituencies in States having forty or less seats ;

(ii) In the case of election on expiry of the normal term of the Legislative Assembly, the intimation with regard to its intention to contest election under sub-clause (i) is given by the party to the Commission at any time during the period commencing from the date six months prior to the date of expiry of the term of the Assembly and latest by

five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued ;

- (iii) In the case of dissolution of the Legislative Assembly before the expiration of its normal term, the intimation with regard to its intention under sub-clause (i) is given by the party to the Commission at any time from the date of dissolution of the Legislative Assembly and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued ;
- (iv) The party shall give the names of ten symbols, in order of preference from out of the list of free symbols notified by the Commission under paragraph 17 of this Order :

Provided that a party may, if it so desires, also propose three new symbols of their choice, with the names and clear design and drawings of symbol, in the order of preference, for allotment to its candidates, which the Commission may consider for allotment as its common symbol if there is, in its opinion, no objection in allotting such symbol :

Provided further that the symbols proposed by the parties shall have no resemblance to the existing reserved symbols or free symbols, nor shall have any religious or communal connotation or depict any bird or animal :

Provided also that no proposal for a new symbol shall be entertained by the Commission unless it is made at least three months before the date of expiry of term of the Assembly concerned or within one month of the premature dissolution of the Assembly, as the case may be.

- (v) The party also gives an undertaking that if the party does not set up candidates in the minimum number of the constituencies as prescribed in condition (i) above, its candidates shall not be entitled to allotment of a common symbol on the date of allotment of symbols to them; and, in addition, the party shall be liable for such punitive action as the Commission may consider appropriate ;
- (vi) The list containing the serial numbers and names of the constituencies where the party is setting up candidates is submitted to the Commission latest by 5 clear days before the date on which the notification (or first of the notifications in the case of a phased election) of the election is scheduled to be issued.

(B) At a general election to the House of the People—

- (i) The party sets up candidates at least in a minimum of two parliamentary constituencies in the State, in which it seeks allotment of a common symbol to its candidates ;
- (ii) In the case of States with single parliamentary constituency, a party which applies for common symbol in terms of clause (i) above in another State, may also apply for allotment of the same symbol in such States with single parliamentary constituency ;
- (iii) In the case of election on expiry of the normal term of the House of the People, the intimation with regard to its intention to contest election under sub-clauses (i) and (ii) is given by the party to the Commission at any time during the period commencing from the date six months prior to the date of expiry of the term of the House of the People and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued ;

- (iv) In the case of dissolution of the House of the People before the expiration of its normal term, the intimation with regard to its intention under sub-clauses (i) and (ii) is given by the party to the Commission at any time from the date of dissolution of the House of the People and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued ;
- (v) The party shall give the names of ten symbols, in order of preference, from out of the list of free symbols notified by the Commission under paragraph 17 of this Order :

Provided that a party may, if it so desires, also propose three new symbols of their choice, with the names and clear design and drawings of symbol, in the order of preference, for allotment to its candidates, which the Commission may consider for allotment as its common symbol if there is, in its opinion, no objection in allotting such symbol :

Provided further that the symbols proposed by the parties shall have no resemblance to the existing reserved symbols or free symbols, nor shall have any religious or communal connotation or depict any bird or animal :

Provided also that no proposal for a new symbol shall be entertained by the Commission unless it is made at least three months before the date of expiry of term of the House of the People, or within one month of the premature dissolution of the House, as the case may be.

- (vi) The party also gives an undertaking that if the party does not set up candidates in the minimum number of the constituencies as prescribed in condition (i) above, its

candidates shall not be entitled to allotment of a common symbol on the date of allotment of symbols to them ; and, in addition, the party shall be liable for such punitive action as the Commission may consider appropriate

(vii) The list containing the serial numbers and names of the constituencies where the party is setting up candidates is submitted to the Commission latest by 5 clear days before the date on which the notification (or first of the notifications in the case of a phased election) of the election is scheduled to be issued.

*Explanation :—*For the removal of doubt, it is hereby clarified that—

- (i) The concession of allotment of common symbol to the candidates of a registered unrecognized party under this paragraph shall be available to a party at any two general elections to the House of the People, or any two general elections to a State Legislative Assembly or at one general election to the House of the People and the other at a general election to a State Legislative Assembly, as the party may choose.
- (ii) A party that has availed of this concession on two occasions shall, however, be eligible for the concession in any subsequent general election subject to the condition that on the previous occasion when the party availed of the facility, the votes polled by all the contesting candidates set up by the party at the general election in the State concerned was not less than one per cent of the total valid votes polled in that State.
- (iii) The free symbol allotted as a common symbol to the candidates of a party under this paragraph shall be available for allotment to candidates set up by the other parties or

independent candidates in those other constituencies in which that party has not set up its candidates.

(iv) Allotment of common symbol under this paragraph shall be done on ‘first-come-first-served’ basis :

Provided that if applications of two or more parties giving preference for the same symbol are received in the Commission on the same date, then the question of allotment of the symbol to one of such parties shall be decided by draw of lots in such manner as may be directed by the Commission :

Provided further that if out of the two or more such parties giving preference for the same symbol whose applications are received on the same date, one party is such that it had been allotted the said symbol at the previous occasion in the State concerned and the other was not allotted that symbol in the previous election, then the symbol shall be allotted to the former :

Provided also that if out of the two or more such parties giving preference for the same symbol whose applications are received on the same date, both or all such parties had been allotted the said symbol on the previous occasion in the State concerned, and one among the parties is such that it has Member(s) elected to the House of the People or the Legislative Assembly of the State concerned on the symbol for which preference has been given by the party then the symbol shall be allotted to that party to the exclusion of the other parties.

(v) If it is not possible for the Commission for any reason to allot a common symbol to the candidates of a party from out of the list of symbols for which it has given its preference

under this paragraph, some other symbol from the list of free symbols may be allotted to that party in consultation with that party.

(vi) Notwithstanding anything contained in paragraph 10A, a political party which was earlier a recognized political party and which lost its recognition more than 6 years back will also be eligible under this paragraph to the concession of allotment of the symbol which was earlier reserved for the party, at a general election to the House of the People or to the Legislative Assembly of a State, held after expiry of six years since the party lost its recognition, subject to the fulfilment of each of the conditions specified under clause (A) or (B), as the case may be, except the condition in sub-clause (iv) of clause (A) and sub-clause (v) of clause (B)."

By order.

(Sd.) VARINDER KUMAR,
Secretary,
Election Commission of India.

Published for general information.

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